



02-10-03

MODIFIED PTO/SB/29 (08/98)

CPA/1600 \$

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# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable

☐ DUPLICATE

TECH CENTER 1600/2900

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.  
of Prior Application

A-604

First Named Inventor

Dunstan, C.

Examiner Name

Helms, L.

Group / Art Unit

1642

Express Mail Label No.

EL360692797US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09/389,782,  
filed on 09/03/1999, entitled OPG Fusion Protein Compositions and Methods

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000 a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 153(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
  - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
    - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent is enclosed.
- ☐ Information Disclosure Statement (IDS) is enclosed:
  - ☐ PTO-1449
  - ☐ Copies of IDS Citations

02/11/2003 HGBREH1 00000037 010519 09389782

01 FC:1006 750.00 CH  
02 FC:1203 280.00 CH

## CLAIMS AS FILED

For	Number Filed		Number Extra	Rate	Fee
Total Claims after amendment	16	- 20 =	0	x \$18.00 =	\$ 0.00
Independent Claims	2	- 3 =	0	x \$84.00 =	\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable)				+ \$280.00 =	280.00
Basic Fee				=	\$750.00
Total Filing Fee:					\$1030.00

6. ☒ Throughout the prosecution of this application, if any extension of time is necessary, please consider this a request therefor.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 01-0519 throughout the prosecution of this application:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17. (3 mo. extension)
- c. ☐ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
9. ☒ New Attorney Docket Number, if desired A-604A  
*[Prior application Attorney Docket Number will carry over to this CPA unless a new Attorney Docket Number has been provided herein.]*
10. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized. See MPEP 503.)
11. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA  
**UNLESS** a new correspondence address is provided below.

## 12. NEW CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label


21069

PATENT TRADEMARK OFFICE

 or ☐ New correspondence address below

NAME	U.S. Patent Operations/RBW					
	M/S 27-4-A, Department 4300					
ADDRESS	AMGEN INC.					
	One Amgen Center Drive					
CITY	Thousand Oaks	STATE	CA	ZIP CODE	91320-1799	
COUNTRY	US	TELEPHONE	805-447-	FAX	805-499-8011	

## 11. SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

NAME (Print/Type)	Robert B. Winter
SIGNATURE	
REGISTRATION NO. (Attorney/Agent)	84,458
DATE	2/7/03